

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**REBECCA CHRISTIE,  
(a/k/a REBECCA WULF),**

**Defendant.**

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**CR No. 07-0614 RB**

**ORDER**

One June 23, 2010, Defendant filed a Brief Regarding Mandatory Minimum Sentences. (Doc. 365.) In her Brief, Defendant argues (1) that the correct sentence for Count I, federal second-degree murder, is any term of years to life, and not the thirty year minimum suggested in the presentence report (Doc. 365 at 2), and (2) that a minimum sentence of life imprisonment is not mandated under the Assimilative Crimes Act for Defendant's convictions under state law, Counts III and V, negligent and intentional child abuse resulting in death. (Doc. 365 at 21.) In its Response to Defendant's Brief Regarding Mandatory Minimum Sentences, the government agrees that for Defendant's conviction under Count I, federal second-degree murder, because the thirty year mandatory minimum contained in 18 U.S.C. § 3559(f)(1) was not in effect at the time of the offense in this case, the correct sentence is any term of years to life. Accordingly, with regard to Count I, Defendant's argument is moot. Additionally, as the Court vacated Defendant's convictions under Counts III and V of the Second Superseding Indictment (Doc. 383), Defendant's arguments with regard to mandatory minimums for the state assimilated charges of intentional and negligent child abuse resulting in death are also moot.

**WHEREFORE,**

The Court hereby **DENIES** the relief requested in Defendant's Brief Regarding Mandatory Minimum Sentences (Doc. 365) as **MOOT**.

A handwritten signature in black ink, appearing to read "Robert Brack", is positioned above a horizontal line.

**ROBERT BRACK**  
**UNITED STATES DISTRICT JUDGE**